by a Legislative Act, to destroy the bank. *Here you see the government of a single state rising up against the government of all the states, and attempting to resist that government.* Now let me ask you, which of the parties to this contest is the more worthy of the confidence of the people of the United States; the general government, which is created by them *all*, and responsible to them *all*, or the state government, created by and responsible to not more than one *twentieth* or *thirtieth* part of their number? If we can more safely trust the rulers of our choice, than those who are not the rulers of our choice, the question is answered. For to the citizens of all the other states, except the one which I have supposed to be engaged in the contest, *the government of the contesting state is perfectly alien; as much so as the British Parliament.* There cannot be a greater political absurdity than to suppose our liberties are in greater danger from those functionaries whom we elect and control, than from those whom we do not elect and control. I have already stated that the erroneous proposition, that the states, as such, have certain original, inherent rights, lies in ambush at the bottom of all the reasonings in favour of state rights; and I will now add another proposition, equally erroneous, which seems to be involved in the *arguments of those who are perpetually warning us to beware of the general government, and fly to the state governments for refuge.* Their reasonings assume that *the general government is alien to the people, who originally created it, and whose living energies continually sustain it.* Now, the functionaries of the general government, with all their grandeur and splendid projects, at which you pretend to be so much alarmed, can, in a moment as it were, be hurled from their stations, in a peaceable, constitutional mode, and by the very people whose liberties you suppose are unsafe in their custody. Are you aware that you are preaching up the same doctrines that the "Holy Alliance" of Europe are attempting to seal with blood? To assert that the general government will prostrate the liberties of the people, is to assert that our republican experiment will fail, and that our constitution is founded upon false principles. In other words, that the people are not capable of governing themselves. For my own part, I can conscientiously say, (and I stand upon constitutional ground when I say so,) that *I have, as a citizen of the Union, precisely as much confidence in the general government, as I have in the government of my own state, and infinitely more than I can or ought to have in the government of the other states.* I think too highly of the people of the United States, to suppose that they will tolerate any encroachments of the national government, that shall endanger their liberty. *As to those imaginary rights, that are by some supposed to exist in the states, in contradistinction to the people of the states, I neither understand nor regard them. They are mere sounds, used by misguided or designing men, for the advancement of their popularity in particular sections of the Union.* While the rights and liberties of the people are safe,—and they must be, while they are true to themselves —all the ends of government are accomplished. Thus I have endeavoured to convince you, from the organization of the general government, and its responsibility to the people, that it is as safe a depository of the rights of all the people, as the state governments are of the rights of part of them.

But as strong prejudices and apprehensions do exist in some of the states on this subject, I will endeavour to trace these prejudices to their origin. I think they are to be ascribed to two causes; large states, and men whose ambition exceeds their talents. All history proves that

in a mere confederacy of states, the largest and most powerful member will ultimately attain such an ascendency as to govern the whole. It is equally clear, that in proportion as the confederacy approaches to the form of one common national government, the ascendency of the largest members will be diminished. At the time our present constitution was adopted, Virginia was, in all that constitutes political power, decidedly the largest state in the Union. Accordingly, in that State, the most violent and persevering opposition was made to the present constitution of the general government: and since we have become a united people, *the politicians of Virginia have been most loudly clamorous about state rights, and have given the tone to particular factions in other states, on the subject.* The other cause which I have assigned for the prevalence of the false doctrines I am considering, is in some measure connected with the cause just mentioned. AMBITIOUS MEN OF INFERIOR TALENTS, FINDING THEY HAVE NO HOPE TO BE DISTINGUISHED IN THE COUNCILS OF THE NATIONAL GOVERNMENT, NATURALLY WISH TO INCREASE THE POWER AND CONSEQUENCE OF THE STATE GOVERNMENTS, THE THEATRES IN WHICH THEY EXPECT TO ACQUIRE DISTINCTION. *It is not, therefore, a regard for the rights of the people, and a real apprehension that those rights are in danger, that have caused so much to be said on the subject of prostrate state sovereignties and consolidated empire.* IT IS THE AMBITION OF THAT CLASS OF POLITICIANS, WHO EXPECT TO FIGURE ONLY IN THE STATE COUNCILS, AND OF THOSE STATES WHO ARE TOO PROUD TO ACKNOWLEDGE ANY SUPERIOR; an ambition and a pride of the most alarming and dangerous tendency, which, if not discountenanced by moderate and reflecting men, may at some future day dissolve our happy union, *and sweep away, in a tide of civil blood, all that constitutes the happiness of individuals or the glory of a nation.*

I will now proceed to show, in a few words, that from an experience of the actual operation of the general government, we have as little cause to apprehend danger as from the principles of its organization. Have we not as a nation enjoyed all the happiness which it is in the power of government to confer? *Where is the man that has felt the oppressive arm of the general government? In the whole history of its progress you cannot point to one solitary act of oppression.* It has wrested from no man his property: it has deprived no man of his liberty. But we have seen its salutary and protective energies directed against a foreign foe. We have seen the pride of that haughty foe humbled by the victorious arms of the republic. We have seen our wrongs avenged; our rights vindicated; and our national character exalted; all by the general government. And seeing all this, we have rejoiced that it is the government of our choice. On the other hand, we have been involved in great embarrassments *by the refractory and unconstitutional proceedings of some of the states.* In the very war which raised the character of the general government so much in the confidence and affections of the people, the refusal of the Governor of one of the Eastern States to obey the call of the President, threatened to throw the country into the most alarming condition, and to paralyze the very arm to which we all looked for protection. *Rest assured, then, the general government is not an object of dread.* Our ancestors did not create it to be an object of terror to the people, but "to secure the blessings of liberty to themselves and their posterity." They reared it as a durable

monument, which should carry their names, in glory, to future ages. They will not be deceived. As long as there shall be a heart to feel for freedom, and a head capable of understanding its principles, those who organized the general government will be hallowed as the wisest of statesmen and the best of patriots. And I am well assured that the government they created, will not be the less evincive of the wisdom of its framers, because it departs from the principle of a mere confederacy. I shall show, that *its admirable balance can be jeopardized only by the eccentric and centrifugal tendencies of the States.*

But I will first offer some additional views tending to show that the fears you profess to entertain, that the general government will prostrate the state sovereignties, are wholly unfounded either in the nature of things, or the history of nations. That there is, in reality, no such danger, will be apparent to any man at all familiar with the history of human ambition, who will attentively consider the nature of the powers which, under our federative system, fall to the share of the state governments. For it can be conclusively shown, that these constitute precisely the class of political powers that has the least attractions for ambition, and which, even the most despotic governments, possessing extensive territories, have voluntarily thrown off, as inglorious incumbrances, and committed to local or provincial authorities. The powers of the state governments are limited to those measures of local regulation, which, taken together, constitute the internal police of the respective states. They establish the rules of property; fix and define the rights of persons; and provide for the security of both by appropriate civil remedies, and criminal sanctions administered and enforced by their judicial tribunals. The subject embraced within the scope of these regulations, though highly important in the estimate of national happiness, have nothing of that imposing and attractive splendour which can dazzle the minds of ambitious rulers. Cast your eyes into history, that bloody record of the sufferings of the people, and the sins of their rulers. Survey with attention those mighty wastes, through which Ambition has held his lofty career, and in which he has reared his proudest and bloodiest trophies. And when you have done so, consult the record to ascertain the objects that stimulated, and the means that facilitated, those mighty and desolating achievements. Was that ambitious Conqueror, who waved his iron sceptre over the trembling and subject nations that had yielded to the terror of his arm, stimulated in his bloody march by a desire to regulate the domestic police of the conquered nations? Was it the power of fixing and defining the individual and private rights of his subjects, that furnished the means of his aggrandizement? No. He was stimulated by higher though less worthy aims, and sustained by mightier means. These I shall presently consider. The states are constitutionally restrained from "entering into any treaty, alliance, or confederation; granting letters of marque and reprisal;" and also from "laying any duty of tonnage; keeping troops or ships of war in time of peace; entering into any agreement or compact with another state, or with a foreign power, or engaging in war unless actually invaded, or in such imminent danger as will not admit of delay, without the consent of Congress." The powers of the state governments, then, are not only limited in their operation, but essentially pacific in their nature. From all "the pride, pomp, and circumstance of glorious war;" from all that class of political actions, in short, which furnish the most interesting themes of history, and attract in their recital, the almost exclusive attention of the

mass of mankind, the states are absolutely and wisely excluded.—When, therefore, we consider the nature of ambition; when we reflect that it is desirous of performing those actions, only, which history records with her brightest and most enduring colours, and nations behold with the highest admiration, *the folly of the apprehension that the general government will subvert the governments of the states, is most strikingly apparent.*

But still more strikingly apparent will be the folly of such an apprehension, when we come to compare the powers which have been clearly and unequivocally delegated to the general government, with those which it can acquire by encroachments on the state authorities. By the express letter of the National Charter, Congress has power "to lay and collect taxes, duties, imposts, and excises;" to "declare war," to "raise and support armies," and to "provide and maintain a navy." These powers are granted in the most general and unlimited terms. Upon the discretion of Congress in "laying and collecting taxes," and in "raising and supporting armies," there are no restrictions but those imposed by nature. Congress may push these powers to the utmost verge indicated by the physical capacity of the country. They may, upon the slightest occasion, and for the most unwise, improvident, and wicked ends, draw from the people (of the "states" too!) the uttermost farthing that can be spared from their suffering families, to fill the national coffers; and call out the last man that can be spared from raising the necessaries of life, to fill the national armies and fight the battles of ambitious rulers. And all this, however inexpedient, unjust, and tyrannical, they can do, without transcending the limits of their constitutional authority. The general government is thus invested, (safely and constitutionally invested) with an unlimited command over the purse and the sword of the nation, those mighty and resistless instruments of lawless ambition and encroaching power; and yet the very rulers, in whose hands these tremendous engines are harmless to the people, and terrible only to their enemies, are held up and denounced by your warning voices, as the depredators upon the more peaceful, inefficient, and unattractive powers of the state governments! We are called upon to believe that our federal rulers will use with moderation the very powers by which ambitious men have, in all ages, built up the monuments of their own aggrandizement upon the ruins of the constitution, and amidst the execrations of the people; and yet that these rulers will consummate their ambitious purposes, and subvert our liberties, by the paltry and petit larceny process of pilfering little fragments from the temples of state sovereignty!!! If one of you were to trust a madman with a broad-sword, and yet be alarmed lest he should arm himself with a weapon to attack you, by invading your wife's pincushion, your fears would not be more ridiculous, nor your inconsistency more palpable. Be assured it is not in the course of ambition to descend; for "in its proper motion" it "ascends." The supreme judiciary of a state would hardly be inclined to usurp jurisdiction over the class of cases that fall within the exclusive and humble jurisdiction of a common magistrate. Abstractedly considered, power has no allurements. It is only desirable from its imposing associations.

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If, after all that has been said, you still continue to dread the extinction of the state governments in one great consolidated empire, I must, for the present, give you up as incurable; in the hope, however, of producing some effect hereafter, by showing that there are dangers, much

more imminent and alarming, to be apprehended from an opposite direction. But the real danger, which it demands all the wisdom and patriotic vigilance of the American statesman to obviate, proceeds from the centrifugal tendencies of the states, was the doctrine invariably held by the framers of the federal constitution. And I wish distinctly and emphatically to impress it upon you, that at the very era of the constitution, when the true "principles of the revolution" burned with a living and holy fervour in the bosoms of those who had breasted the rudest shocks of the revolutionary war; WASHINGTON, MADISON, and HAMILTON, were the firm and masterly supporters of this very doctrine. The views of the two last named statesmen are recorded in "*The Federalist*," that able and unanswerable commentary on the federal constitution; which is now almost universally received as the standard of political orthodoxy. And it is most extraordinary that in your affected "recurrence to fundamental principles," you have entirely overlooked the opinions and commentaries of the friends and authors of that constitution, which will stand amidst the wreck of empires as an imperishable monument of their wisdom; and have *based yourselves upon the visionary fears and dismal forebodings of those who were opposed to it.* Whether I am to understand that you are at this day not only opposed to the *administration*, but the *constitution* of our government, and wish not only to change our rulers, but to destroy that constitution; or that you suppose that the *opponents* of that instrument understand its principles better than its *authors;* I confess I am at a loss to determine. For if you are sincere in your professions of attachment for the "principles of the revolution," and of the federal constitution, and are not acting a part in a great political manœuvre; if you are honestly seeking for the truth of principles, and not for the means of individual aggrandizement; to what oracles could you have applied so likely to give you an unerring response, as the immortal patriots and statesmen whose names I have just mentioned? But with an infelicity which seems to be your peculiar characteristic, you place your principal reliance upon those opinions of PATRICK HENRY, which, by your own admission, he himself renounced, after experience had dispelled the delusions by which his warm imagination had been carried away. Pretermitting, however, any further remarks on the question of authority, I will endeavour to show by arguments drawn as well from the "fundamental principles" of genuine representative republicanism, as from our actual experience, that WE HAVE MORE CAUSE OF APPREHENSION FROM THE STATES, THAN FROM THE GENERAL GOVERNMENT; OR, IN OTHER WORDS, THAT THERE IS IN OUR SYSTEM A GREATER TENDENCY TO DISUNION THAN TO CONSOLIDATION.

It will be recollected that the *responsibility of public functionaries* is the only true and adequate security for liberty, connected with the organization of the various departments of our political system. And, whenever, in the ramifications of that system, we find any part in which the principle of responsibility does not operate co-extensively with the sphere and compass of the power which it is intended to restrain, we have just grounds to apprehend that the harmony of the system will be disturbed by the irregular and eccentric wanderings of the power thus inadequately restrained. Now it results from the practical operation of our complex system, that the government of each state, though elected by the people of that state, and responsible to *them only*, may, notwithstanding, affect, by their proceedings, the vital interests of the *whole Union.* So far, then, as the interests of the "peo-

ple of the United States," are liable to be impaired or destroyed by the measures of the government of a particular state, they are exposed to the action of a power absolutely irresponsible to them. If the general government should encroach upon the powers and violate the rights of the states, they would be infringing upon the interests, and rousing the indignation of the sovereign power that created them, the *people* of the states; and would of course feel all the restraint that responsibility could impose. But the converse of the proposition does not hold true. If a state government should infringe upon the interests of the Union, or, more precisely, of the people of all the other states, their indignation, however just, would be vain and powerless; for the *principle of responsibility could not be brought to bear upon the usurping or aggressing state government.* Suppose, for example, that, during a war, upon which the very liberty of the country depended, a particular state, under the influence of some violent local excitement, should attempt to paralyze the arm of the general government, by restraining and limiting their power of recruiting soldiers, or by refusing to order out the quota of militia constitutionally demanded by the general government. These are not extreme cases; for the latter actually occurred in one of the Eastern states, and the former either occurred or was agitated in another, during the late war with Great Britain. I ask what constitutional means have the *people* of the Union, in such cases, to bring back the rulers of the refractory states to a sense of their duty? Can they hurl them from the "bad eminence" to which, perhaps, their very views have raised them? Can they take from them *the power thus perverted to the unhallowed purposes of faction and sedition?* Can they snatch from their grasp the firebrand, with which, from the heights of their constitutional power, *they threaten to cast "hideous ruin and combustion" into the* TEMPLE OF THE UNION? No. As long as the local excitement of their constituents shall prevail, the unanimous and indignant voice of all the people of the Union, besides, cannot shake the foundations of their power. If, then, there be any virtue in the great principle of political attraction, which sustains the harmony of our admirable system of practical freedom; it is quite obvious, that whenever a case occurs in which the real or imaginary interests, the passions, or prejudices of a particular state, shall stand opposed to the interests of the Union; that attraction, instead of binding the state rulers to the general interest, will absolutely carry them from it. And are we permitted, either by a knowledge of the principles of human nature, or a view of our own brief experience as a nation, to doubt that such cases will frequently occur? HE MUST HAVE READ THE LESSONS OF HISTORY TO LITTLE PURPOSE, WHO DOES NOT PERCEIVE THAT THE PEOPLE OF PARTICULAR STATES ARE LIABLE TO FALL, OCCASIONALLY, INTO A DANGEROUS AND MORBID EXCITEMENT UPON PARTICULAR SUBJECTS; AND THAT UNDER THIS EXCITEMENT, THEY WILL IMPEL THEIR RULERS INTO THE ADOPTION OF MEASURES IN THEIR TENDENCY DESTRUCTIVE TO THE UNION. Nor will any considerate man look upon this source of danger, but with the deepest concern. How many local causes are there, calculated to generate feelings hostile to the general government? Diversity and peculiarity of *local* interest, whether real or imaginary. Political prejudices and opinions, peculiar to one or a few states. Embarrassments growing out of a vitiated currency, which the general government may find it necessary to correct—a duty of the highest moral and political obligation, yet ungracious in its nature, and for a time, apparently oppressive. If to these we add, THE SELF-

ISH AND AMBITIOUS VIEWS OF DESIGNING DEMAGOGUES, we shall have a specimen of the numerous and multifarious causes of disunion which exist in the passions of men and the pride of the states.

Unfortunately for us, we are not left to mere theoretical reasoning upon this subject. We have seen embodied, in the living current of events, the very dangers of which I have been speaking. Who can forget how all the energies which state organization could confer, were in certain states exerted to impair our national energies, in the late war, and prostrate our country, degraded, disgraced, and discomfited, at the feet of a proud and imperious foe? Who can forget that the prayers of "states," almost in the very forms of constitutional proceeding, were, from the very temples of state sovereignty, sent up to the throne of Heaven, breathing maledictions on the armies of the republic? Who, that feels any interest in the true glory of his country, does not wish the story of the Hartford Convention blotted for ever from her annals; and who that regards her permanent happiness would not deprecate the recurrence of such another infamous association, as the greatest calamity that could befall her?

And do we not see almost passing before us, in this tranquil period of peace, an example of state insubordination, less glaring, but even more alarming than that to which I have just alluded? *The laws of the Union, clothed with the most solemn sanctions of the constitution, have been, under the extreme pressure of local embarrassment, absolutely resisted by the state authorities.* After the supreme tribunal of the country pronounced an act of Congress constitutional, and, consequently, *the supreme law of the land*, a state government has openly opposed its execution. It will be readily understood, that I allude to the embarrassing conflict of authority between the general government and the state of *Ohio*, in relation to the National Bank. And I hesitate not to pronounce it one of the most portentous events that has occurred since the adoption of the federal constitution. *For if, after the National Judiciary have solemnly affirmed the constitutionality of a law, it is still to be resisted by the state rulers, the constitution is literally at an end; a revolution of the government is already accomplished, and anarchy waves his horrid sceptre over the broken altars of this happy Union!*

In the examples to which I have alluded thus briefly, of insubordination in state rulers, we distinctly perceive the effects of that unavoidable want of responsibility to the Union, which I consider the weakest part of our federative system. And what is still more alarming, every member that shall be admitted into the Union, will increase the danger to be apprehended from this source. It requires but little skill in ringing the changes of political permutation, to enable us to perceive that in proportion as we increase the number of states that compose the Union, we multiply the chances of local combinations unfriendly to it. And, although by enlarging the confederacy, we shall diminish the *relative* strength of any such probable combination, and of course the probability of a forcible disruption; yet the increased frequency of collisions between the general and state governments, will be scarcely less to be deprecated. For it ought never to be forgotten, that this Union is not to be sustained by physical force, but by kindred sympathies and mutual good will.

Let us now consider the principles of construction which ought to prevail in ascertaining the extent of the powers delegated by the constitution to the national government; and of the means provided for

the application of those principles. As far as I can recollect any distinct propositions from the medley of unconnected quotations you have made on these very important subjects, I understand you to affirm, that in expounding the Federal Constitution, we should be "tied down to the strict letter" of that instrument; and that the general government "was not made the exclusive or final judge of the extent of the powers delegated to itself; but that, as in all other cases of compact among parties having no common judge, *each party has a right to judge for itself.*" *As these may be considered the concentrated essence of all the wild and destructive principles that have ever been advanced, in relation to the subjects under consideration,* and as they constitute the basis of a contemplated revolution in the administration of the general government; I have been particular in using your very language, lest I should be suspected of giving my own impressions of the result of your arguments, or, more correctly speaking, of your *quotations.*

In asserting that we ought not to travel out of the "strict letter" of the Constitution, I am almost disposed to believe, in charity, that you were ignorant of the nature of your own proposition. For if, with its obvious and necessary consequences before you, I could believe you would still maintain it, I should be compelled to think very unfavourably of your characters; as nothing is more clearly demonstrable than that *your rule of construction would paralyze every living energy of the Constitution, and absolutely annihilate the government. Without implied and incidental powers, almost the entire mass of means by which the machine of government is kept in motion, could not be wielded a single moment, but would fall from the hands of the administration.* Congress have power, for example, by "the strict letter" of the Constitution, to "declare war," and "raise and support armies;" but not to erect arsenals and fortifications, and provide for the purchase of the munitions of war. They have power "to lay and collect taxes and imposts," but the "strict letter" of the Constitution gives them no authority to create officers and custom-houses, any more than to incorporate banks, for their collection. They have power to "borrow money," and to "pay the debts of the Union;" but here the "strict letter" does not confer any authority to create commissioners of loans, or commissioners to apply the sinking fund, or any other means of "borrowing," in the one case, or "paying" in the other. They have power to "coin money;" but regarding merely the "strict letter," the establishment of a mint would be an unconstitutional extension of the "patronage" of the government.*

Now, if you will but imagine to yourselves a war without permanent structures for national defence; an army without arsenals, magazines, or munitions of war; a system of revenue without officers or custom-houses; a funding system without commissioners to carry it into effect; and a scheme of coining money without a mint establishment; you may form a pretty adequate conception of the result of your rule of constitutional interpretation. I will now show that you have not the semblance of authority to sustain that rule. It is laid down, in an elementary writer, deemed the first authority in every state in the union, that "the most universal and effectual way of discovering the true meaning of a law when the words are dubious, is by considering the *reason* and *spirit* of it." This rule prevails throughout the civi-

* See Appendix, A, page 23.

lized world, both in the construction of municipal laws and of treaties and confederacies between independent nations. It results from the essential imperfections of the human mind and of human language. Without it the affairs of nations would be arrested in their progress. And yet you utterly deny that we have any warrant for construing the constitution with reference to *its spirit.* Even in the construction of private instruments, where the subjects to which they relate are within the actual presence of the contracting parties, the same liberal regard to the spirit and intention of the parties generally prevails. Is there, then, any reason why the Constitution of the United States should receive a more strict and technical construction than a municipal law or a private contract? Was it intended merely to furnish themes for the disputations of professional men? Far from it. It was formed by the people, and for the people. Popular in its creation and its objects, *it was intended that it should be construed by the plain and obvious dictates of common sense, and with a liberal regard to the great national ends it was designed to accomplish.* Any man who will consider for a moment, the vast field of human affairs embraced within the scope of the Constitution, and that in its very nature it must be applied to all those vicissitudes, which, in the succession of ages, shall mark our progress as a nation, cannot but perceive the absurdity of construing this great national Charter, as a lawyer would construe an *indictment.* The officer who draws an indictment, and the scrivener who draws a private conveyance, *have the whole matter immediately before them,* to which these documents respectively refer; and there is, of course, no difficulty in making a specific enumeration of particulars. But the framers of a constitution have to provide for all those modifications and combinations of human events, and all those varying interests of society, for which human wisdom cannot make any specific provision. To enumerate the various and detailed operations of a government for centuries to come, and the infinite variety of means that shall be employed, is not therefore the object of a constitution. Its true object is to distribute the great political powers amongst the several departments of the government, giving a liberal discretion to public agents, in selecting the means by which those powers shall be carried into effect, but providing, at the same time, by their responsibility to the people, the only adequate security against the abuse of that discretion. *You seem quite alarmed at the idea of discretionary powers; when, in fact, a government never did exist, nor ever can exist, for a single year, without such power.* Such a government would be a political phenomenon. Its first act would be an act of usurpation, *founded upon necessity.* An entire misconception of the true theory of political freedom seems to pervade all your reasonings. Frail, indeed, would be the tenure by which we hold that great national blessing, if it solely depended upon the smaller or the larger portions of political power, committed to this or that class of political functionaries. I have already shown, that our true security was to be found in the constant control, which, by means of the elective franchise, we can exercise over our political agents. All the classes and departments of our government have ample powers for all the purposes of despotism, *if they were independent of the people;* but as long as their constitutional dependence continues, we have nothing to fear. If they abuse their discretion, we have nothing to do but to discard them from office.

Having thus shown the true principles by which the federal constitution ought to be construed, I shall proceed to inquire, what are the

means provided to apply and enforce those rules. You assert that when any conflict shall occur between the general and state governments, as to the extent of their respective powers, "EACH PARTY HAS A RIGHT TO JUDGE FOR ITSELF!" I confess I am at a loss to know how such a proposition ought to be treated. No CLIMAX OF POLITICAL HERESIES CAN BE IMAGINED, IN WHICH THIS MIGHT NOT FAIRLY CLAIM THE MOST PROMINENT PLACE. IT RESOLVES THE GOVERNMENT, AT ONCE, INTO THE ELEMENTS OF PHYSICAL FORCE; AND INTRODUCES US DIRECTLY INTO A SCENE OE ANARCHY AND BLOOD. There is not a single power delegated to the general government, which it would not be in the power of every state government to destroy, under the authority of this licentious principle. It would be only necessary for a State Legislature to pass a law forbidding that which the Federal Legislature enjoins, or enjoining what the Federal Legislature forbids, and the work is accomplished. Perhaps you would require the State Judiciary to pronounce the State Law constitutional. I will illustrate your principle by a few examples.

Suppose Congress should pass a law to "lay and collect taxes, duties, imposts, and excises," and that a State Legislature should pass another, declaring the objects for which the revenue was intended, *unconstitutional*, and therefore prohibiting the officers of the general government, by severe penalties, from collecting the "taxes, duties, imposts, and excises." Suppose Congress should pass a law to "raise an army" for a national war; and a State Legislature pass another, declaring the war "wicked, unrighteous, and unconstitutional," and therefore prohibiting the officers of the general government, under heavy penalties, from recruiting soldiers within the limits of the state. Suppose Congress should pass a law "for the punishment of counterfeiting the securities and current coin of the United States;" and a State Government should pronounce it unconstitutional, and provide heavy penalties against all officers, judicial or ministerial, who should attempt to enforce it. I need not multiply cases; for if you will duly consider these, you will find enough to satiate your keenest relish for anarchy and disorder. In all the above cases, you would say, "*each party has a right to judge for itself*," and of course to enforce its judgment. You might, then, behold a revenue officer of the United States, confined in a state dungeon, for obeying the revenue laws of Congress. *You might see a gallant officer of the army covered with the glorious scars of many a hard-fought battle, bearing the scourge of a state constable at a whipping-post, for attempting, under a law of Congress, to recruit soldiers to fight the battles of his country.* You might even see a Federal judge arraigned before a State Tribunal, for pronouncing sentence against a counterfeiter of the current coin of the United States! And all this would unavoidably result in giving the state rulers the right to resist the general government, or in a civil war to establish its legitimate authority; consequences, either of which is incompatible with the very notion of government. *To suppose that the general government have a constitutional right to exercise certain powers, which must operate upon the people of the states, and yet that the government of each state has a right to fix and determine its own relative powers, and by necessary consequence, to limit the powers of the general government, is to suppose the existence of two contradictory and inconsistent rights.* In all governments there must be some one supreme power; in other words, every question that can arise as to the constitutional extent of the powers of different classes of functionaries, must be suscepti-

ble of a legal and peaceable determination by some tribunal of acknowledged authority, or force must be the inevitable consequence. And where force begins, government ends. And it is the more astonishing that you have assumed positions involving such tremendous consequences, when we consider that they are in direct opposition to the "strict letter" of the constitution, your favourite test of the extent of delegated powers. It is therein provided, "that the constitution, and the laws of the United States which shall be made in pursuance thereof," shall be the supreme law of the land; and the *Judges in every state* shall be bound thereby, *any thing in the constitution or laws in any state to the contrary notwithstanding.*" And again, "the judicial power [of the United States] shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made; or which shall be made under their authority." Nothing can be more plain, than that the "*strict letter*" *of the constitution does make the laws of Congress supreme, enjoining obedience upon the state functionaries, and making void the laws of a state if contrary thereto.* And to give this provision a sanction of a nature peculiarly impressive, "the members of the several *state legislatures*, *all executive and judicial officers*, both of the United States *and of the several States*, shall be bound by oath or affirmation to support the constitution of the United States." It is not less evident that it belongs to the *national judiciary* to pronounce upon the constitutionality or unconstitutionality of the laws of the national legislature. Its jurisdiction extends to "all cases" arising under them; and it is hard to conceive how in any possible case a federal Judge can decide a case, arising under a law, without pronouncing upon the constitutionality of that law. In fact, it would be vain and idle to make the laws of Congress supreme, if the national judiciary had not the power of enforcing them. For you can hardly be ignorant that a law is a dead letter, without an organ to expound, and an instrument to enforce it. I should suppose, therefore, that no professional man could hesitate in saying, that a forcible opposition to the judgment of the Federal Court, founded upon an act of Congress, by whatever state authority that opposition might be authorized, would be the very case which the convention had in view, when they made provision for "calling forth the militia to execute the laws of the Union." But *I sincerely hope that your licentious doctrines will never have the effect of misleading the state authorities so far as to render this terrible resort unavoidable.* I trust the Farewell Address of Washington, admonishing his fellow citizens to "frown indignantly" upon those who preach up doctrines tending to disunion, is not yet forgotten.

But you seem to think your work will not produce the intended effect, unless you can render the *judicial* department odious and suspected. You say, "Where is the country in which the rights of man have always been protected by the judiciary? It is not to be found. But we can scarce turn our eyes to the history of any nation, in which, on the contrary, the judicial department has not become the *agents of corruption.*" You then go through a train of reasoning, to prove that the national judiciary are in "perfect habits of obedience and subordination" to the legislative and executive departments!

I cannot exactly determine from your equivocal denunciations, whether you wish the judicial department *differently organized, or entirely abolished.* As to its organization, it is such as the will of the people pleased to give it, and, upon the whole, I think the best it could have

received. Perhaps it would have suited your taste better, if the Governors of the States had been clothed with the power of appointing the Federal Judges. But, accustomed as I have been to consider an independent Judiciary, next to the responsibitity of public agents, as the most important improvement which we have made upon the political systems of antiquity, I cannot suffer you to denounce the Judiciary as being the "agents of corruption," without giving the charge a serious refutation.

Appealing to the experience of nations, we shall find that the judiciary has generally been justly regarded with veneration, as the upright and inflexible ministers of the law. The very education of a judge, accustomed to confine his views to the results of a stiff, technical, and artificial system, indisposes him to that course of flexible and unsteady reasoning, by which usurpation is too often palliated. On this subject the experience of Great Britain may be more profitably consulted than that of any other foreign nation. The judiciary of that country is the boast and glory of her patriots and statesmen. I do not mean to say that she never had a judicial tyrant; but I may safely assert, that where she has had one tyrant on the *bench*, she has had ten on the *throne*, and thousands in *Parliament*. The "*Habeas Corpus*" act would not be so highly prized, but for the independence of the judiciary, by whose instrumentality alone its benefits can be administered.—Where all the other departments are tyrannical and corrupt, it cannot be expected that the judiciary will be always perfect. My end is accomplished, when I show that in other countries it is better than the other departments in these particulars.

In closing my correspondence with you, I intend to address you with a plainness which will preclude misapprehension. * * * From the disclosures made in your two last numbers, it is more than ever apparent, that *you are the humble instrument of a certain great magician, who stands concealed behind a curtain, and moves you by wires.* * * * *You have openly raised the standard of a new faction*; and *have selected certain words, supposed to possess a peculiar charm, as the symbols of your order.* * * * But rest assured, that the people of the United States are not to be duped by such a pitiful artifice. With whom did the policy which you denounce as Federal, originate? With that glorious phalanx of republican statesmen, whose patriotic zeal and distinguished talents carried our country in triumph through the late war with Great Britain. * * * While there is an American capable of appreciating the importance of national character, the names of Calhoun, Clay, Lowndes, and Cheves, and a host of worthies who acted with them, will be hailed with gratitude. These were the men, who amidst the darkest moments of the late war, when a powerful army threatened them from without, and a most rancorous opposition embarrassed them within, stood with a dauntless resolution at the helm of state, resolved to stand or fall with their country.

* * * * * * * * * * *

APPENDIX.

(*See page* 18.)

It is thus, in the second number, that this writer illustrates some of the implied or incidental powers under the Constitution:—

The first measure which you touch upon, not in the body of your essay, but in your notes, by which you certainly intend to produce your greatest effect, is internal improvement; over which you say, PATRICK HENRY never supposed the general government would usurp any power. There *is no incidental power more clearly given by the Constitution*, (*and even you admit incidental powers*) *and certainly there is none at once more* harmless and salutary, than that of making internal *improvements*. Congress has the power to "declare war," and "regulate commerce between the several states." If there is any such thing as an incidental power, *that in question must be incidental to these two* grants. The power to declare war necessarily involves the power to make war; and the power to make war necessarily involves the right to use at least the ordinary means of making that war efficient. Now *are not the roads and canals to facilitate the transportation of troops and all the apparatus of war, means indispensable to the prosecution of a war?* If it should become necessary to march troops and transport arms, through an impassable wilderness in a state, would not any General be authorized to cut his way, and make the marshes and swamps through which he would pass, sufficiently firm to convey his carriages and troops? And would he not have a right to appropriate the public money for this purpose? Most surely. And yet the whole legislative power of the general government cannot do what a General in the field, the mere creature of the Executive, could certainly accomplish, and that most rightfully. *If Congress have not a right to make a military road, they have no right to march men through a state without its consent; for the one is as much a violation of sovereignty as the other.* But you will say that military roads are not *indispensably necessary;* for wars might be conducted without them, and have been. I confess I was surprised to see, even such politicians as you are, fall into an argument so perfectly puerile. Do you not see that it would destroy all the powers of the general government, and leave it disarmed and at the mercy of a foreign foe? Let us apply your argument. It is proposed in the cabinet to use cannon and cavalry, and Congress are solicited to make an appropriation for the purchase. You would of course say no—Congress has no power to make the appropriation, for wars have been conducted *without cannon* or *cavalry;* they are, therefore, not *indispensably* necessary. It is proposed to buy muskets. You say no; wars have been carried on by bows and arrows, and muskets cannot, consequently, be of indispensable necessity. In short, the very fact that there are more ways than one to carry on war, by your mode of argument, would deprive the general government of using either. For, while there are two ways of doing a thing, neither of them, according to your refined logic, is necessary, and, therefore, neither can be used. *The power of regulating internal commerce, equally involves the power to make roads and canals, necessary and proper for the*

transportation of merchandise. It is a power, too, that in the nature of things ought to belong to the general government; for as it extends over the whole of our national territory, it is the only power competent to make improvements that will pervade the whole extent of our country. Now, I ask you, gentlemen, in the name of common sense, *where is the danger of trusting the general government, elected by, and frequently responsible to, the whole people, with the power of making a road, or opening a canal;* a power that exists in the little local corporation of almost every county and district in the United States? What is there in the thing itself, that is calculated to alarm you? Is it the means of enslaving the country? Is there any thing in making a road, or digging a canal, that is calculated to rouse the ambition of our federal rulers? Making a road is not in itself a very captivating work; nor can I very well see what ambitious purpose the general government could answer, merely by *making* a road. Your objection, it would seem to me, ought rather to be against the *use* of it by the general government, after it is made. Now every body will admit that good roads are desirable in every point of view. For a sketch of their utility, I will only refer to the masterly speech of Mr. Calhoun on that subject, delivered shortly before he left Congress, and his able report on that subject since he has been Secretary of War.

PROCEEDINGS

19

OF THE

NATIONAL REPUBLICAN CONVENTION

OF YOUNG MEN,

WHICH ASSEMBLED IN THE CITY OF WASHINGTON

MAY 7, 1832.

WASHINGTON:

PRINTED BY GALES & SEATON.

1832.

PROCEEDINGS, &c.

The Convention of the National Republican Young Men of the United States assembled, pursuant to notice, at the City Hall, in the city of Washington, at 9 o'clock, on Monday, May 7, 1832. The meeting being called to order, on motion of N. Sargent, Esq., of Pennsylvania, Zaccheus Collins Lee, Esq. was appointed President, pro tem. and James Barbour, Jr. of Virginia, Secretary.

On motion of Mr. Piatt, of Ohio, the following resolutions were adopted:

Resolved, That a committee, to consist of one from each delegation, to be selected by such delegation, be appointed; whose duty it shall be, to examine the credentials of the members of this Convention, and report thereon.

Resolved, That a committee, to consist of four, be appointed by the Chair, who shall confer with the Committee of Arrangements of the District, on the practicability of procuring a more commodious place of sitting for the Convention.

On motion of Mr. Gamage, of New York, it was

Resolved, That it is proper and becoming to invoke Divine assistance in all important undertakings; and, therefore, that the reverend Clergy of this city be invited to attend this Convention, and commence the meeting each day with prayer.

The Convention then adjourned until 5 o'clock, when they again met, for the purpose of examining certificates, and making other preliminary arrangements.

On motion, it was

Resolved, That the officers of this Convention consist of a President, four Vice Presidents, and two Secretaries; and that a committee be appointed, to consist of one delegate from each State represented, and one from the District of Columbia, to be selected by their respective delegations, to nominate suitable persons to fill the above named offices, and that they report to-morrow at the opening of the Convention.

Tuesday, *May* 8, 1832.

The Convention met, agreable to adjournment.

Prayer by the Reverend Mr. Palfrey.

Mr. Flagg, of South Carolina, from the committee appointed to recommend officers for the Convention, reported that they had selected the following gentlemen:

President,	William Cost Johnson, of Maryland.
First Vice President,	William Lush, of New York.
Second Vice President,	Charles James Faulkner, of Virginia.
Third Vice President,	William P. Fessenden, of Maine.
Fourth Vice President,	George W. Burnet, of Ohio.
First Secretary,	George P. Molleson, of New Jersey.
Second Secretary,	J. K. Angell, of Rhode Island.

Which report was unanimously adopted.

On being conducted to the chair, Mr. Johnson returned his acknowledgements, as follows:

Gentlemen: Unaccustomed, from my pursuits in life, to public speaking, I rise, under the influence of much embarrassment, to return you my sincere and grateful thanks for the honor your kindness has thus conferred on me; but regret that your choice has not fallen on a more worthy member of this Convention.

I am convinced, gentlemen, that no personal merit of mine has elicited this appointment, but that it has been conferred on the State which I in part have the honor to represent. Bringing with me to this station but little more than the will to dedicate my best exertions to its duties, and being but slightly conversant with parliamentary rules, I should have shrunk with self-distrust from the task, were I not sustained by the hope, that the generosity which prompted your choice will not be withheld, but that your liberal indulgence and co-operation will be extended to me, and that, over the errors I may commit, in discharge of the arduous and multiform duties of this station, the broad mantle of your forbearance and charity will be thrown.

Deeply penetrated with the importance of this Convention, and viewing it as auspicious of the safety and permanency of our free institutions, I am convinced that that indulgence and good feeling the Chair invokes for itself will be extended to all its members. In an assembly like the present—so numerous, so patriotic, and so talented—the necessity of harmony and order, to give efficacy to our proceedings, must be apparent.

The eyes, gentlemen, of the whole nation are upon you and your deliberations; and I am sure that nothing will characterize them but zeal, concert, and union. Coming, as you do, warm from the bosom of your constituents—from the North, the South, the East, and the West—animated by one motive, and determined to promote one great object, I trust that no sectional feelings will distract your deliberations, but that all interests will be merged in the great interest of the National Republican party.

Proceeding, therefore, with this concert of action and intensity of purpose, we shall discharge our duties with honor to our constituents and ourselves, and diffuse, from this common centre, throughout this widely extended confederacy, an influence and opinions worthy the great cause that has brought us together.

The members being then called, more than three hundred delegates answered to their names.

[The names of all the delegates, together with their post offices, as far as ascertained, will be found at the close of the proceedings of the Convention.]

On motion of Mr. Semmes of Maryland, it was

Resolved, That the thanks of this Convention be presented to Zaccheus Collins Lee, Esq. of Washington, for the ability and dignity with which he has presided over the deliberations of the Convention, as President pro tem. And also, to James Barbour, jun. of Virginia, for the ability with which he discharged his duties as Secretary pro tem.

On motion of Mr. Duer, of New York, it was

Resolved, That a committee be appointed, to consist of five members, whose duty it shall be to report to this Convention, what subjects, in their opinion, it may be proper and expedient for this Convention to consider, and the best and most convenient mode of considering the same. And that said committee further report, such rules and regulations, if any, as they may deem necessary to govern the proceedings of the Convention.

The following gentlemen were appointed to constitute said committee.

Mr. Duer, of New York, Mr. Hunter, of Virginia, Mr. Piatt, of Ohio, Mr. Coale, of Maryland, Mr. Little, of Pennsylvania.

On motion of Mr. Cumming of Ohio, it was

Resolved, That, from and after this day, this Convention will assemble twice a day. The hour for assembling in the morning to be nine o'clock, and the hour of adjournment eleven o'clock. The hour for assembling in the afternoon to be four o'clock, and the hour of adjournment for the day to be determined by the convention.

And the Convention adjourned.

Wednesday, *May 9th.*

The Convention again assembled, and after prayer by the Reverend Mr. Hatch, of the Episcopal Church, Mr. Duer, of New York, from the Committee for that purpose, reported the following business for the consideration of the Convention.

1st. A nomination of President and Vice President of the United States.

2d. The appointment of a committee to draught an address to the National Republican Young Men of the United States.

3d. A committee to draught resolutions expressive of the sense of this Convention.

Which report being accepted, DAVID GRAHAM, jun. of New York, rose, and proposed the following resolution:

Resolved, That this Convention, entertaining the highest sense of the talents, patriotism, and integrity of HENRY CLAY, of Kentucky, and of the purely American feeling which induced the National Republican Convention, held at Baltimore on the 12th of December last, to nominate him as a candidate for the Presidency of the United States at the ensuing election, do most cordially concur in that nomination, and recommend him to the support of the Young Men of the United States.

Which, being seconded by Mr. FAULKNER, of Virginia, was received with great applause, and unanimously adopted.

Mr. CREED, of Ohio, then submitted the following resolution:

Resolved, That, having the highest sense of the moral worth, integrity, and uncompromising patriotism of JOHN SERGEANT, of Pennsylvania, this Convention do most heartily concur in his nomination as a candidate for the office of Vice President of the United States at the coming election, and earnestly recommend him to the support of the Young Men of the United States.

Which, being seconded by Mr. ANDERSON, of Ken., was unanimously adopted.

It was then, on motion of Mr. CONSTABLE, of Maryland,

Resolved, That a committee, consisting of one delegate from each State and the District of Columbia, be appointed by the President, to draught an Address to the Young Men of the United States, setting forth the objects and views of this Convention.

And the following gentlemen were selected for this purpose:

From *Maine*—R. H. Vose,
Vermont—John M. Pomeroy,
New Hampshire—Hampden Cutts,
Massachusetts—William Lincoln,
Rhode Island—W. W. Hoppen,
Connecticut—A. N. Skinner,
New York—N. B. Blunt,
New Jersey—J. P. B. Maxwell,
Pennsylvania—J. A. Denney,
Delaware—Charles Marim,
Maryland—Albert Constable,
Virginia—Alexander Stuart,
South Carolina—H. C. Flagg,
Louisiana—S. Brown,
Ohio—H. E. Spencer,
Kentucky—Rd. Pindell,
District of Columbia—Z. C. Lee.

On motion of Mr. FLAGG, of South Carolina, seconded by Mr. PERKINS, of Connecticut, it was

Resolved, That a committee, consisting of one individual from each State represented in this Convention, and the District of Columbia, be appointed to draught resolutions upon such subjects as shall be deemed proper to be acted upon by this Convention.

The following gentlemen were accordingly selected for this purpose:

Messrs. William Paine, of Maine; E. Seymour, of Vermont; T. Darling, of New Hampshire; Thomas Kinnicutt, of Massachusetts; James Anthony, of Rhode Island; C. M. Emerson, of Connecticut; C. Morgan, jun. of New York; J. D. Miller, of New Jersey; E. T. M'Dowell, of Pennsylvania; Evan H. Thomas, of Delaware; Thomas G. Pratt, of Maryland; Andrew Hunter, of Virginia; Henry C. Flagg, of South Carolina; S. Brown, of Louisiana; William N. Bullitt, of Kentucky; Edward H. Cumming, of Ohio; Thomas P. Coleman, of the District of Columbia.

The Convention then adjourned.

THURSDAY, *May 10th.*

The Convention was called to order at 9 o'clock. Prayer was offered up by the Reverend Mr. Post, of the Presbyterian Church. The names of the several delegates who had arrived in the city, and reported themselves, were then read over, and it appeared there were 316 members in attendance.

Mr. STEUART, of Maryland, submitted the following; which was unanimously agreed to:

Resolved, That a committee, consisting of one delegate from each State represented in this Convention, and one from the District of Columbia, be appointed to wait on HENRY CLAY, of Kentucky, and inform him of the unanimous concurrence of the National Republican Young Men of the United States, in Convention assembled, in his nomination to the office of President of the United States; and that they extend to him the assurance of the profound respect entertained by this Convention for his exalted virtues, his comprehensive intelligence, and his uncompromising patriotism; and ascertain at what time and place it will be agreeable to him to receive the respects of this Convention.

The committee appointed were as follows:

Messrs. Gardiner, of Maine; Prentiss, of Vermont; Darling, of New Hampshire; Prescott, of Massachusetts; Wilkinson, of Rhode Island; Burgess, of Connecticut; Van Schaick, of New York; Halsey, of New Jersey; Jackson, of Pennsylvania; Cook, of Delaware; Steuart, of Maryland; Barbour of Virginia; Flagg, of South Carolina; Brown, of Louisiana; Atwood, of Ohio; Johnson, of Kentucky; Bradley, of the District of Columbia; Beall, of Michigan.

On motion of Mr. GAMAGE, it was unanimously

Resolved, That a committee, consisting of one delegate from each State represented, and one from the District of Columbia, be appointed, to inform JOHN SERGEANT, of Pennsylvania, of the unanimous and hearty concurrence of the Young Men of the United States, in Convention assembled, in his nomination to the office of Vice President of the United States.

The committee was composed of the following gentlemen:

Messrs. Barrett, of Maine; Austin, of Vermont; Avery, of New Hampshire; Crowninshield, of Massachusetts; D'Wolf, of Rhode Island; Emerson, of Connecticut; Gamage, of New York; Kaighn, of New Jersey; Hanna, of Pennsylvania; Rodney, of Delaware; Bradford, of Maryland; Robinson, of Virginia; Flagg, of South Carolina; Brown, of Louisiana; Casey, of Ohio; Blane, of Kentucky; Kinsley, of the District of Columbia; Beall, of Michigan.

On motion of Mr. BRANTZ MAYER, of Maryland, seconded by Mr. VAN SCHAICK, of New York, it was unanimously

Resolved, That a committee be appointed by the Chair, which shall consist of one delegate from each State represented in this body, and one from the District of Columbia, whose duty it shall be to express to CHARLES CARROLL of Carrollton, the last surviving signer of our Declaration of Independence, the high sense entertained by the members of this Convention of the virtues of himself and associates, and of their labors in the great cause of national union and independence.

The committee appointed were—

Messrs. Hubbard, of Maine; Rich, of Vermont; Cutts, of New Hampshire; Chapman, of Massachusetts; Rhodes, of Rhode Island; Harris, of Connecticut; Graham, of New York; Tuttle, of New Jersey; Roberts, of Pennsylvania; M'Comb, of Delaware; Mayer, of Maryland; E. P. Hunter, of Virginia; Flagg, of South Carolina; Brown, of Louisiana; Pease, of Ohio; Pindell, of Kentucky; Forrest, of District of Columbia; Beall, of Michigan.

On motion of Mr. HALSEY, of New Jersey, seconded by Mr. SANDFORD, of Connecticut, it was

Resolved, That this Convention is desirous of visiting the tomb of George Washington, and that a committee be appointed, respectfully to apprize the proprietor of the estate of Mount Vernon of the wish of the Convention, and to make suitable arrangements to carry this resolution into effect.

On motion of Mr. LEE, of the District of Columbia, seconded by Mr. FLAGG, of South Carolina, it was

Resolved, That the National Republican Young Men of the United States, in this Convention assembled, do highly approve of the wisdom and firmness of the

Senate of the United States, in rejecting the nomination of MARTIN VAN BUREN as Minister to England; and also applaud the independence and patriotism of JOHN C. CALHOUN, Vice President of the United States, in giving the casting vote on that occasion.

The Convention then adjourned.

FRIDAY, *May* 10*th*.

The Convention met at 9 o'clock.

After prayer by the Reverend Mr. HILT, of the Methodist Episcopal church,

Mr. STEUART, of Maryland, from the committee appointed to wait upon Mr. CLAY, made the following report, accompanied by the correspondence annexed:

The Committee appointed to wait upon Mr. CLAY, and make arrangements for his reception, respectfully report:

That they have had the same under consideration, and, after mature deliberation, recommend that Mr. CLAY be waited upon by a sub-committee, consisting of John M. Steuart, Edward G. Prescott, and H. C. Flagg, at ten o'clock this morning, who shall conduct him to a seat on the right hand of the President; that the chairman of this committee shall introduce him to the President, and the President introduce him to the Convention. After being introduced to the Convention, which shall rise on the announcing of his name, the President shall address him on behalf of the Convention, and the Convention shall, without being seated, receive his answer. It is further especially recommended, that no demonstration, by applauding, be made by the Convention, until after Mr. Clay shall have answered the President's address. All which is respectfully submitted.

The Committee to Mr. Clay.

WASHINGTON, *May* 10, 1832.

To Hon. HENRY CLAY:

SIR: The undersigned, appointed a committee, by the National Republican Young Men now assembled in the city of Washington, to announce to you the following resolution,* passed unanimously by that body, beg leave to tender to you the assurance of the respect of the Convention for your virtues, genius, and patriotism, and request to be informed at what time it will suit your convenience to comply with the wishes of the Convention, as expressed in the resolution.

With great respect,

JOHN M. STEUART, *of Maryland, Chairman.*
R. H. GARDINER, *of Maine.*
SAMUEL B. PRENTISS, *of Vermont.*
EDWARD G. PRESCOTT, *of Massachusetts.*
EDWARD S. WILKINSON, *of Rhode Island.*
D. BURGESS, *of Connecticut.*
J. B. VAN SCHAICK, *of New York.*
C. H. HALSEY, *of New Jersey.*
GEO. W. JACKSON, *of Pennsylvania.*
LEVI G. COOCH, *of Delaware.*
JAMES BARBOUR, Jr. *of Virginia.*
HENRY C. FLAGG, *of South Carolina.*
S. BROWN, *of Louisiana.*
J. S. ATWOOD, *of Ohio.*
F. J. JOHNSON, *of Kentucky.*
JOSEPH H. BRADLEY, *of the District of Columbia.*
SAMUEL W. BEALL, *of Michigan.*

* For resolution see preceding page.

Mr. Clay's Reply.

WASHINGTON, 10*th May*, 1832.

GENTLEMEN:

I have received your note of this day, communicating a copy of a resolution adopted by the National Republican Convention of Young Men, now assembled in this city, announcing their unanimous concurrence in my nomination as a candidate for President of the United States, and expressing a desire to be informed of the time when it would be convenient for me to receive them in a body.

I request, gentlemen, that you will convey to the Convention the very high degree of satisfaction which I have derived from this testimony of their confidence and approbation. Proceeding as it does from gentlemen voluntarily called from all parts of the Union, prompted by no other than the most patriotic motives, the impression on my mind is as deep and gratifying as it will be permanent and grateful.

Presuming that it will be agreeable, as it will be most convenient, that I should meet the Convention at the hall which has been provided for their accommodation in this city, I will wait on them to-morrow morning, at 10 o'clock, unless they should be pleased to indicate some other more suitable hour and place.

I have the honor to be, with great respect, your obedient servant,

H. CLAY.

John M. Steuart, *Chairman*, and Messrs. R. H. Gardiner, Samuel B. Prentiss, Timothy Darling, Edward G. Prescott, Edward S. Wilkinson, D. Burgess, J. B. Van Schaick, C. H. Halsey, George W. Jackson, Levi G. Cooch, James Barbour, Jun. Henry C. Flagg, S. Brown, J. S. Atwood, F. J. Johnson, Joseph H. Bradley, Samuel W. Beall, &c.

At 10 o'clock Mr. CLAY entered the hall of the Convention, and was introduced by the committee to the President, and by him to the Convention generally.

The President then rose, and addressed Mr. CLAY as follows:

SIR:

As the organ, and in the name of the National Republican Young Men in this Convention assembled, I welcome your presence on this interesting occasion, and tender to you, in their behalf, the respects, the gratitude, and the admiration of those that surround you. Your private worth and public services have placed you before them—the object of their patriotic labors and hopes.

About to close the duties that brought us together, we could not, as a body, separate, without this offering of our feelings and sentiments to the man whose name and principles are associated with the liberty and glory of our beloved country.

With such a name, and such principles, we go forth united and active in a great cause; and feel assured, that, in an appeal to the Young Men of America, the CONSTITUTION and HENRY CLAY will be triumphant.

To which Mr. CLAY replied, with much feeling, as follows:

Mr. President, and Gentlemen of the Convention:

In conformity with your resolution, communicated through a committee of your body, I have the honor of presenting myself before you; and I avail myself of the occasion to express the deep and grateful sense which I entertain of the distinguished proofs which you have on this, and other days of your session, given to me, of your esteem and confidence. Should I be called by the People of the United States to the administration of their Executive Government, it shall be my earnest endeavor to fulfil their expectations; to maintain, with firmness and dignity, their interests and honor abroad; to eradicate every abuse and corruption at home; and to uphold, with vigor, and equality, and justice, the supremacy of the constitution and the laws.

Our greatest interest in this world, is our Liberty. Derived from our ancestors, by whose valor and blood it was established, it depends upon the vigilance, virtue, and intelligence, of the present generation, whether it shall be preserved and

transmitted to posterity, as the most precious of all earthly possessions. Next to that, in importance, is our Union, indissolubly connected with it, also derived from the fathers of our country. But what we want is a practical, efficient, and powerful Union—one that shall impartially enforce the laws towards all, whether individuals or communities, who are justly subject to their authority—a Union which, if it shall ever be deemed necessary to chide one member of the Confederacy, for rash and intemperate expressions, threatening its disturbance, will snatch violated laws and treaties from beneath the feet of another member, and deliver free citizens of the United States from unjust and ignominious imprisonment.

Gentlemen, it belongs to you, and the young men of your age, to decide whether these great blessings of Liberty and Union shall be defended and preserved. The responsibility which attaches to you is immense. It is not our own country alone that will be affected by the result of the great experiment of self-government which will be shortly committed exclusively to your hands. The eyes of all civilized nations are intensely gazing upon us; and it may be truly asserted that the fate of Liberty throughout the World, mainly depends upon the maintenance of American Liberty. May you, gentlemen, be deeply penetrated with the magnitude of the sacred trust confided to you. May you transfuse into the bosoms of your contemporaries the enthusiasm which burns in your own! And may the career on which you are all just entering, be long, and happy, and illustrious!

The Convention then adjourned for half an hour.

On being again called to order,

Mr. N. B. Blunt, of New York, from the committee appointed to draught an address to the young men of the United States, reported an address which had been prepared by the committee; which, being read, was unanimously adopted.

Mr. Kinnicut, of Massachusetts, from the Committee on Resolutions, reported the following:

1. *Resolved*, That, in the opinion of this Convention, although the fundamental principles adopted by our fathers, as a basis upon which to rear the superstructure of American independence, can never be annihilated, yet the time has come when nothing short of the united energies of all the friends of the American Republic can be relied on, to sustain and perpetuate that hallowed work.

2. *Resolved*, That an adequate protection to American industry is indispensable to the prosperity of the country; and that an abandonment of the policy at this period would be attended with consequences ruinous to the best interests of the nation.

3. *Resolved*, That a uniform system of internal improvements, sustained and supported by the General Government, is calculated to secure, in the highest degree, the harmony, the strength, and the permanency of the Republic.

4. *Resolved*, That the Supreme Court of the United States is the only tribunal recognized by the constitution for deciding, in the last resort, all questions arising under the constitution and laws of the United States, and that, upon the preservation of the authority and jurisdiction of that court inviolate, depends the existence of the Union.

5. *Resolved*, That the Senate of the United States is pre-eminently a conservative branch of the Federal Government; that, upon a fearless and independent exercise of its constitutional functions, depends the existence of the nicely balanced powers of that Government; and that all attempts to overawe its deliberations, by the public press, or by the national Executive, deserve the indignant reprobation of every American citizen.

6. *Resolved*, That the political course of the present Executive has given us no pledge that he will defend and support these great principles of American policy and of the constitution; but, on the contrary, has convinced us that he will abandon them whenever the purposes of party require.

7. *Resolved*, That the indiscriminate removal of public officers, for a mere difference of political opinion, is a gross abuse of power; and that the doctrine lately "boldly preached" in the Senate of the United States, that to the "victor belong the spoils of the enemy," is detrimental to the interests, corrupting to the morals, and dangerous to the liberties of the People of this country.

8. *Resolved*, That we hold the disposition shown by the present national administration, to accept the advice of the King of Holland, touching the north-eastern boundary line of the United States, and thus to transfer a portion of the

territory and citizens of a State of this Union to a foreign Power, to manifest a total destitution of patriotic American feeling; inasmuch as we consider the life, liberty, property, and citizenship, of every inhabitant of every State, as entitled to the national protection.

9. *Resolved*, That the arrangement between the United States and Great Britain relative to the colonial trade, made in pursuance of the instructions of the late Secretary of State, was procured in a manner derogatory to the national character, and is injurious to this country in its practical results.

10. *Resolved*, That it is the duty of every citizen of this Republic, who regards the honor, the prosperity, and the preservation of our Union, to oppose, by every honorable measure, the re-election of ANDREW JACKSON, and to promote the election of HENRY CLAY, of Kentucky, and JOHN SERGEANT, of Pennsylvania, as President and Vice President of the United States.

On motion of Mr. BUELL, of New York, it was

Resolved, That the wasteful expenditures and improvident contracts made by the present Postmaster General, and his indiscriminate removal from office of so many hundreds of individuals throughout these United States, for no other reason but their refusal to sacrifice their honor, evince either a total ignorance of official duties, or an utter destitution of moral worth in the presiding officer of that Department, and a lamentable recklessness of principle in our Chief Magistrate, who sustains and upholds him.

SATURDAY, *May 12th.*

On motion of Mr. SARGENT, of Pennsylvania, it was

Resolved, That this Convention accept, with pleasure, the report of the American Colonization Society, politely tendered in behalf of that society by the Rev. R. R. Gurley, and that the thanks of this Convention be presented to him for the same.

On motion of Mr. FLAGG, of South Carolina, it was

Resolved, That the thanks of the Convention be presented to Messrs. Gales & Seaton, for their politeness in furnishing to the members of the Convention extra numbers of the National Intelligencer, and in the presentation of pamphlets.

On motion of Mr. ALVORD, of Massachusetts, it was

Resolved, That the thanks of this Convention be presented to the Rev. Clergy of Washington, who have kindly officiated at our meetings.

On motion of Mr. POMEROY, of Vermont, it was

Resolved, That the thanks of this Convention be tendered to the Committee for the District of Columbia for the arrangements made by them for the accommodation of the Convention.

On motion, the thanks of the Convention were presented to the President, Vice Presidents, and Secretaries, for the ability with which they had discharged their several duties.

The President then, on behalf of himself and his associates in office, returned his acknowledgments to the Convention as follows:

GENTLEMEN: I am unwilling to let the present opportunity pass without tendering to you, for myself, and on behalf of those who have been associated with me, in this expression of your approbation, our profound and lasting acknowledgments. When first called on to preside over the deliberations of this Convention, I accepted the honor with distrust, and only upon the belief that your forbearance and co-operation would lend their influence to the discharge of the arduous duties of the station. Nor have I been disappointed: for the high estimate which I then formed of the generosity and indulgence of this Convention, has been most amply realized. All that I can tender you, gentlemen, for so many marks of your friendly consideration, is the lasting gratitude of my heart.

I will not let the present opportunity escape without congratulating you, gentlemen, and the National Republican Young Men throughout the country, who elected you, upon the courteous and successful manner in which the deliberations of this Convention have been conducted. Meeting, gentlemen, as you have, from the opposite extremities of the Union, from every portion of this extensive confederacy, no local considerations, no sectional interests, have for a single instant arrested the

harmony or the unanimity of your deliberations. The high and patriotic purpose for which you assembled has been your only consideration; and every other feeling, every other motive, has been united in one animated effort to advance what you conceive the best interest of our common country. From every portion of this hall, from every quarter of the Union, there has been, as it were, but one voice, but one interest, but one great and undivided purpose. This Convention is novel in its kind. Trace back the annals of all history, and this will be found to be the first instance in which the young men of a whole nation, alarmed for the institutions of their country, and anxious to wipe away the national disgrace inflicted by servile, incompetent, and unworthy rulers, have assembled in solemn Convention. They have assembled for no other purpose than to produce that concert of action and co-operation, which shall be its influence rescue the constitution and the violated laws from an imbecile and corrupt Executive, and place them in the hands of abler and better men. And who that has observed the character and talent of this Convention, is not convinced of its salutary results, and does not see in it the highest assurance of the strong moral and political influence that it will diffuse in every region of the Union—composed as it is of upwards of three hundred members, all freely interchanging views and opinions characterized by the strictest deference and comity, each liberal in sentiment and elevated in bearing, and manifesting an identity of purpose, a conjunction of zeal, animation, and firmness, that augur the most salutary and successful results. And I do not hesitate to believe that each member of this large and talented Convention will leave this city with a warm and firm purpose to exert all his powers of mind and person to infuse a zeal in every State, in every county, in every town, and in every neighborhood, which shall animate the young men throughout the whole Union to a proper sense of their influence in sustaining the principles which have been here sanctioned and promulged the American policy, and in support of the independence and dignity of our country, by placing in the highest offices of the Government Henry Clay and John Sergeant, whose names are identified with all that is pure in patriotism, elevated in honor, disinterested in friendship, open, frank, and manly, or essential to preserve pure our constitution, the policy of our country, and the happiness, prosperity, and liberty, of the People.

But the hour admonishes me that I am trespassing: for I am detaining the boat that is to bear the members of this Convention to the shades of Mount Vernon, where we purpose paying a solemn tribute of respect at the tomb of our beloved Washington, whose name hallows and is hallowed.

In conclusion, therefore, allow me, gentlemen, to express a hope that the generous and social feelings which have pervaded our intercourse will be cultivated and cherished; and when we separate, as we soon must, that we will all still be united in feelings and in principles, and that there will be carried on without restraint a full and frank correspondence on all subjects of social and political interest. I shall always cherish with exquisite fondness the recollection of the many valuable and worthy acquaintances I have here formed. And in, now closing our labors, I wish you, in the sincerity of my feelings, not only a safe and pleasant journey home to your families and your friends, but that your journey through life may be long, useful, and profitable, and crowned with honor to yourselves and your country.

The Convention then adjourned *sine die.*

CORRESPONDENCE.

Washington, *May* 10, 1832.

Sir: The undersigned, a committee on behalf of the Convention of National Republican Young Men, convened at the City of Washington, for the purpose of nominating candidates for the Presidency and Vice Presidency of the United States, to be supported by them at the ensuing election, have been instructed respectfully to communicate to you the following resolution unanimously adopted by that body:

"*Resolved*, That, having the highest sense of the moral worth, integrity, and uncompromising patriotism of John Sergeant, of Pennsylvania, this Convention do most heartily concur in his nomination as a candidate for the office of Vice President of the United States, at the coming election, and earnestly recommend him to the support of the Young Men of the United States."

Permit us, sir, to add the expression of the high respect entertained for your character by the members of this committee respectively.

THADDEUS P. ROBINSON, *Virginia.*
EDWARD GAMAGE, *New York.*
JAMES HANNA, *Pennsylvania.*
WILLIAM F. D'WOLF, *Rhode Island.*
GEORGE P. AVERY, *New Hampshire.*
G. C. CROWNINSHIELD, *Massachusetts.*
HENRY F. RODNEY, *Delaware.*
SENECA AUSTIN, *Vermont.*
CHARLES KAIGHN, *New Jersey.*
JOHN L. BLAINE, *Kentucky.*
HENRY C. FLAGG, *South Carolina.*
CHARLES E. BARRETT, *Maine.*
S. BROWN, *Louisiana.*
G. W. BURNET, *Ohio.*
BENJAMIN S. KINSEY, *District Columbia.*
A. W. BRADFORD, *Maryland,*
CHARLES M. EMERSON, *Connecticut.*
S. W. BEALL, *Michigan.*

To the Hon. JOHN SERGEANT.

PHILADELPHIA, *May 12th,* 1832.

GENTLEMEN: Mr. Corbit has delivered to me your letter of the 10th inst., communicating a resolution of the Convention of the National Republican Young Men lately assembled in the City of Washington, in which they express their unanimous concurrence in my nomination as a candidate for the office of Vice President of the United States, and recommend that nomination to the support of the Young Men of the United States.

Be pleased, on behalf of the Convention, to accept my sincere acknowledgments for the honor they have done me in deeming me worthy of their support for one of the highest trusts of the Republic. To have a place in the hearts and the minds of this interesting portion of our fellow-citizens, is a gratification of no ordinary kind—it is greatly enhanced by the consideration, that the body from which the expression of regard has come, has, in the short period of its session, acquired for itself a clear title to peculiar respect, by the talent, the dignity, and the thorough acquaintance with our Republican institutions, which have so eminently distinguished its deliberations and proceedings.

For the members of the Convention, for their constituents, and for our beloved country, I humbly implore the continued favor of a gracious Providence, whose aid alone can enable us rightly to perform the various duties that may fall to our lot.

I beg you to accept my thanks for the kind expressions in your letter, together with the assurance of the respect and regard of, gentlemen, your friend and fellow citizen,

JOHN SERGEANT.

TO THADDEUS P. ROBINSON, Esq. *and others, a Committee of the Convention of National Republican Young Men.*

The Committee appointed by the Convention to wait upon the venerable CHARLES CARROLL, of Carrollton, waited on that venerable patriot, in pursuance of their appointment, and, after being announced to him,

Mr. BRANTZ MAYER, the chairman, addressed him as follows:

RESPECTED SIR:

Three hundred young men, from all parts of this extended Union, lately convened in the city of Washington, have deputed me, as chairman of a committee appointed by them, to hand you the letter which I now have the honor to present. And, in doing so, suffer me, sir, for myself and for the gentlemen around, to observe, that we will ever deem this one of the proudest days of our lives, and cherish in our bosoms, to the last hour of our existence, the deepest respect and

warmest admiration for him who, in connexion with the departed fathers of our Revolution, gave that impulse to human freedom which is now regenerating the world.

I beg leave, sir, to read you the following letter:

To Charles Carroll, of Carrollton:

WASHINGTON, *May* 12, 1832.

SIR: The National Republican Young Men assembled in Convention, in this city, beg leave, with great respect, to tender you an expression of their gratitude for your eminent services as a distinguished patriot of the Revolution.

It is a duty which they are proud to discharge. The example of those who have gone before us is never without influence. The one to which we now look is of no ordinary character.

In that band of patriots who first declared to the world the rational inalienable rights of man, and, in support of that declaration, staked their lives, their fortunes, and their sacred honors, who, in moral excellence and courage, in firmness of purpose, and purity of heart, excelled CHARLES CARROLL, of Carrollton? Amidst that galaxy of talent, which, like a sign in the heavens, lighted our fathers through a wilderness of wrongs, to the goal of freedom, and diffused its rays over the oppressed, the suffering, and benighted, of *all nations*, no star burned with a more intense, yet mild and steady blaze, than that which we contemplate, still bright, descending in the horizon of freedom, and shedding its benignant lustre on admiring millions.

May that star yet long remain in our unclouded sky, and only set to rise in "perfect glory!"

We will humbly endeavor to walk by its light.

BRANTZ MAYER, of Md. (Chairman)
CALVIN J. HUBBARD, of Maine,
J. RICH, of Vermont,
HAMPDEN CUTTS, of New Hampshire,
HENRY CHAPMAN, of Massachusetts,
G. A. RHODE, of Rhode Island,
DAVID GRAHAM, of New York,
J. N. TUTTLE, of New Jersey,
E. W. ROBERTS, of Pennsylvania,
J. B. MACOMB, of Delaware,
E. P. HUNTER, of Virginia,
H. C. FLAGG, of S. Carolina,
CALVIN PEASE, of Ohio,
S. BROWN, of Louisiana.
R. PINDELL, of Kentucky.
G. FORREST, of D. Columbia.

After Mr. MAYER had concluded, Mr. CARROLL declared himself highly gratified by the expression of the feelings of the Young Men of the United States, and hoped that they might enjoy, uninterruptedly, through life, and transmit unimpaired to their posterity, the noble institutions of this happy land.

Mr. HORNOR, of New Jersey, from the Committee of Ways and Means, who were appointed to communicate with the proprietor of Mount Vernon, relative to a visit to the tomb of WASHINGTON, submitted the following correspondence; which was read, and ordered to be entered on the Journal of the Convention:

WASHINGTON CITY, *May* 10, 1832.

JOHN A. WASHINGTON, Esq.

SIR: The undersigned having been appointed a committee, by the Young Men's National Republican Convention, now assembled in this city, for the purpose of expressing to you their desire to visit the tomb of GEORGE WASHINGTON, at Mount Vernon, respectfully, on their behalf, request your permission to manifest, in this manner, their regard and veneration for his virtues, his patriotism, and dis-

tinguished merits, and the gratitude they owe to the father and benefactor of their country.

With high respect, we have the honor to be,
Sir, your most obedient servants,

CALVIN R. HUBBARD, *of Maine.*
JOSEPH P. STICKNEY, *of New Hampshire.*
SAMUEL B. PRENTISS, *of Vermont.*
JAMES C. ALVORD, *of Massachusetts.*
THEODORE SILL, *of Connecticut.*
GEORGE A. RHODES, *of Rhode Island.*
JOSEPH DART, Jun. *of New York.*
ROBERT E. HORNOR, *of New Jersey.*
SAMUEL O. JACOBS, *of Pennsylvania.*
DANIEL CORBIT, *of Delaware.*
JOHN B. WELLS, *of Maryland.*
GEORGE C. POWELL, *of Virginia.*
HENRY C. FLAGG, *of South Carolina.*
JOHN N. JOHNSON, *of Kentucky.*
GEORGE W. JONES, Jun. *of Ohio.*
S. BROWN, *of Louisiana.*
GEORGE A. HYDE, *of District of Columbia.*

MOUNT VERNON, *May* 10, 1832.

To the Committee of the Young Men's National Republican Convention:

GENTLEMEN: I am always gratified at every evidence of respect paid the memory of General WASHINGTON. No objection has ever been made to any one's visiting the tomb, who feels disposed to do so, except on the Sabbath, or in steamboat parties. So respectable a body, therefore, as the Young Men's National Republican Convention, cannot be otherwise than welcome to visit the tomb, grounds, and mansion. of Washington.

I am, gentlemen, very respectfully,
Your most obedient,
JOHN A. WASHINGTON.

On motion of Mr. CHAPMAN, it was

Resolved, That the thanks of the Convention be presented to JOHN A. WASHINGTON, Esq. for the polite manner in which he has yielded to the wishes of the Convention.

Immediately after adjournment, in pursuance of a resolution, the Members of the Convention proceeded in a body to Mount Vernon, when the Committee of Arrangements, consisting of CHARLES JAMES FAULKNER, of Virginia; HENRY CHAPMAN, of Massachusetts; ROBERT E. HORNOR, of New Jersey; CALVIN MASON, of Pennsylvania; and DAVID GRAHAM, Jun. of New York, waited upon the Proprietor of the estate, and presented to him the respects of the Convention. The members of the delegation then formed in procession, and marched to the strains of a solemn dirge, in silence and uncovered, until they reached the Tomb of the illustrious WASHINGTON. The band then ceased, and the Farewell Address of the Father of his Country was read to the members of the Convention, in a most solemn and impressive manner, by Mr. FLAGG, of South Carolina. The procession then left Mount Vernon in the same order as they approached, and proceeded to the City of Washington.